

2005.0511-2377403218700

**KERN AUGUSTINE**  
**CONROY & SCHOPPMANN, P.C.**  
 1120 Route 22 East  
 Bridgewater, NJ 08807  
 (908) 704-8585  
 Attorneys for Respondent, Wendy Cohen, M.D.

**FILED**

MAY 11, 2005

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**NEW JERSEY STATE BOARD  
 OF MEDICAL EXAMINERS**


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	) STATE OF NEW JERSEY
IN THE MATTER OF THE SUSPENSION	) DEPARTMENT OF LAW AND PUBLIC SAFETY
OR REVOCATION OF THE LICENSE OF	) DIVISION OF CONSUMER AFFAIRS
	) STATE BOARD OF MEDICAL EXAMINERS
Wendy Cohen, M.D.	)
License No. <u>MA03218900</u>	) Administrative Action
	)
TO PRACTICE MEDICINE & SURGERY	) <b>CONSENT ORDER</b>
IN THE STATE OF NEW JERSEY	)

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This matter was opened to the New Jersey State Board of Medical Examiners (hereinafter the "Board") by way of a One Count Administrative Complaint filed on July 2, 2004, by Peter C. Harvey, Attorney General of New Jersey, Hakima Bey, Deputy Attorney General appearing. The Complaint alleged that Wendy Cohen, M.D. (hereinafter the "Respondent") appeared with counsel Steven L. Kern, Esq., before a Preliminary Evaluation Committee of the Board on June 26, 2002, and testified that she had submitted a subsequent insurance claim form for patient M.P. to Oxford Health Inc. which totaled \$4,000 for medical services to patient M.P. although the original bill for submission to the insurance company totaled \$800.00. The Administrative Complaint alleged that Respondent's billing demonstrated a violation of N.J.S.A. 45:1-21 (b) and (e). The Respondent filed an Answer to the Complaint on August 2, 2004, in which she denied the allegations. Prior to a final disposition by the Board, the Board and the Attorney General were presented with a certification from the Vice-President of Claims and Operations for Oxford Health Plans, L.L.C. which indicated in pertinent part that Oxford had not relied upon the subsequent submission in processing this claim

**CERTIFIED TRUE COPY**

and the Board determined that such certification did not alter its prior determination to grant summary decision to the Attorney General finding misrepresentation and professional misconduct without finding fraud. Therefore, the Parties, being desirous of amicably resolving this matter without further proceedings, and the Board finding the within Order adequately protective of the public health, safety and welfare, and other good cause having been shown,

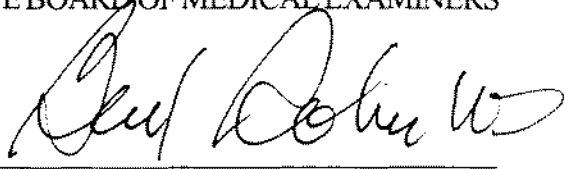
IT IS on this 4<sup>th</sup> day of May 2005

ORDERED AND AGREED, that:

1. Respondent, Wendy Cohen, M.D., agrees to cease and desist from engaging in the billing activity alleged in Count I of the Administrative Complaint.
2. Respondent shall reimburse investigative costs in the amount of \$8,177.00. A certificate of debt shall be filed.
3. Said payments for costs shall be paid in 18 equal monthly installments, with the first payment made within 30 days of entry of this Order, and made payable to the Board of Medical Examiners, and shall be submitted to William Roeder, Executive Director of the Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183. Interest shall accrue at rate on judgment in accord with the Rules of Court.
4. The Respondent agrees that she shall utilize the services of a professional third party billing practice, identified to the Medical Board, within thirty (30) days of the entry of this Order, for a minimum of eighteen (18) months following entry of the within Order. Reports regarding Respondent's billing practices shall be supplied by the billing practice to the Medical Director of the Board every six (6) months, beginning seven months from the date of entry of this Order. Such reports shall attest that proper billing practices are being observed or specify what improper practices may have occurred.

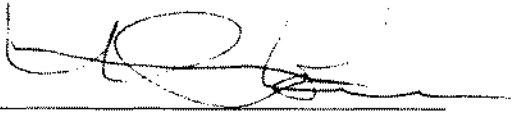
STATE BOARD OF MEDICAL EXAMINERS

By:



Bernard Robins, President

I have read the within Order and I understand the Order and I agree to be bound by its terms and conditions. Consent is hereby given to enter this Order.



Wendy Cohen, M.D.

Dated: March 26, 2005

Consent is hereby given to the form of the Order and its entry.



Steven I. Kern, Esq.

Kern Augustine

Conroy & Schoppmann, P.C.

Dated: March 26, 2005